1949.

File No. O. Growth & Food Crops/49

Legal DEPARTMENT

A BRANCH

Subject:—

Opinions under the Bombay Growth of Food Crops Act, 1944.

C O N T E N T S

Legal Department File No. O. Growth of Foodcrops/49

Gr. No.	Compilation No.	Subject	Pages.
		Opinions under the Bombay Growth of Foodcrops Act 1944.	
1.	O.No. ~~7804~~ 14/7/1949.	Whether it is necessary to insert new section D. in this Act so as to enable Govt. to restrict the the cultivation of certain money crops.	1-2.
2.	O.No. ~~9068~~ 11/8/1949.	Sections 4 (b) and 6 A Whether after adding money crops to schedule II of the Act, an order can be issued under section 4 directing that the ~~money~~ crops shall not be grown in areas in excess of the areas put under those crops during the previous year.	3-4.

JPE. 10/5/56. 5 copies.

15/5

Legal Department

This is a reference from A.&R.D.D. requesting R.L.A. to state whether it is necessary to insert new section in the Bombay Growth of Foodcrops Act 1944 so as to enable Govt. to restrict the cultivation of certain money crops.

Jdt, S.B.M.
9/7

A.A.-S.

'A'

The A.&R.D.D. view is not correct. The object in view can be achieved by adding the money crops to Schedule II under Sect. 6A of the Bom. Growth of Foodcrops Act, 1944.

Jdl-S.P.B.
9/7

A.L.R (M.M. should not have delayed this case)

As I agree Reply may be sent at A

Jdt-R.T.K.
11/7

R.L.A. Jdt-P.M.L.
11/7

U.O. to A.R.D.D. No. 7904 dt. 14-7-1942.

JPE. 10/5/56.
4 copies.

Office of the R.L.A.

The Bombay Growth of Foodcrops Act, 1944

Sections 4(b) & 6A.

The question for R.L.A's consideration is whether after adding money-crops to Schedule II of the Act, an order can be issued under section 4 of the Act directing that the money-crops shall not be grown in areas in excess of the areas put under those crops during the Previous year.

Under clause (b) of section 4 of the Bombay Growth of Foodcrops Act, 1944, the Provincial Government if satisfied that it is necessary in the interests of the Province to increase the production of scheduled foodcrops in any local area, may by an order published in the Official Gazette and in such other manner as it may consider expedient prescribes the proportions in excess of which Scheduled non-foodcrops shall not be grown after the date of the order in any cultivator's holding in that area during the twelve months immediately following the date of the order. Since the moneycrops such as Sugarcane, chilli, turmeric, jiru, variali etc., will be added to the Scheduled non-foodcrops (Schedule II) for the first time during the current year, there could be no restriction on the cultivation of such moneycrops on the cultivators during the previous year. Consequently, after adding the said moneycrops to Schedule II by means of a notification under section 6 A of the Act what Government can do would be to publish an order under section 4(b) prescribing the proportion for the purpose of cultivating such schedule non-foodcrops during the current year. It would not be feasible for Government to direct that moneycrops should not be grown in the areas in excess of the areas put under those crops during the previous year, for to do so in terms of "proportion" would mean a variable proportion for each cultivator, whereas the section intends a uniform proportion.

Id/- P. M. L.
16/8
Remembrancer of Legal Affairs.

U.R. to A. & F.D., No. 9086, dated the 11th August 1949.

JPE. 10/5/56. 4copies.

Submitted after time.

No index card appears necessary:
File with previous papers in O/Room.
Growth of Federation &c.

Idl-S.S.M.
22/8

A.A.S. Summary is necessary
Idl-E.P.B.
23/8

No index card is put up for approval.

Idl-S.S.M.
29/8

A.A.S. As amended
Idl-E.P.B.
30/8